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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,628	02/19/2002	Richard W. Morris	N2000-017	2866
7590	11/14/2003			
Joseph C. Spadacene Westinghouse Electric Company LLC 4350 Northern Pike Monroeville, PA 15146				
EXAMINER MCCAMEY, ANN M				
ART UNIT		PAPER NUMBER		
2833				

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,628

Applicant(s)

MORRIS, RICHARD W.

Examiner

Ann M McCamey

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MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 7 and 11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Dale et al. (US 4,618,198).

Regarding claim 1, Dale et al. disclose an electrical connector (Fig. 4) that detachably connects a cable CL having a metal sheath 26 enclosing a first conductor 21, 22, to a second conductor, 23, 24 (Fig. 11) comprising:

a first elongated, tubular, metal housing section 34, 89 having a longitudinal portion extending from a first end to a second end with a diameter at the first end that is sized to closely receive and prepared to be metallurgically joined to the sheath of the cable carrying the first conductor;

a second elongated, tubular, metal housing section 42 having a first end which is sized to mate with the second end of the first housing section, the second end of the first housing section and the first end of the second housing section having abutting surfaces (at 81) that are prepared to be mechanically or metallurgically joined, and said second housing section having a second end 43 that is formed to be detachably connected to a mating second electrical connector; and

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an elongated, electrically conductive pin 31, supported by the second housing section, having a first end designed to electrically connect with the first conductor and a second end that is formed to electrically interface with a complementary electrically conductive pin on a second electrical connector that is electrically connected to the second conductor.

Regarding claim 2, Dale et al. disclose the first end of the first housing section being constructed to be brazed to the sheath of the cable.

Regarding claim 3, Dale et al. disclose a mating lap joint (at 81) being formed between the second end of the first housing section and the first end of the second housing section.

Regarding claim 4, Dale et al. disclose the mating lap joint being constructed to be brazed.

Regarding claim 6, Dale et al. disclose the first electrical conductor comprising two electrical leads that are insulated from one another and the electrically conductive pin comprises two parallel, elongated terminals with the first end of each terminal is constructed to connect a corresponding one of said electrical leads and the second end of each terminal is constructed to mate with a corresponding terminal on the second electrical connector.

Regarding claim 7, Dale et al. disclose an opening in the sheath of the cable through which the first conductor extends being filled with epoxy (Column 3, Lines 45-64).

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Regarding claim 11, Dale et al. disclose the electrically conductive pin supported by the second end of the second housing section.

Regarding claim 12, Reinhart et al. disclose the first end of the electrically conductive pin being a crimp bucket.

Regarding claims 13 and 14, the method of use is inherent to the device and is rejected on the same grounds as the claims above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dale et al. in view of Linden et al. (US 5,785,544).

Reinhart et al. disclose the invention substantially as claimed, but do not disclose the connection between the first and second housing sections being a threaded joint. Linden et al. teach a threaded joint for joining two metal housing sections together to establish a hermetic seal. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the connector of Reinhart et al. with a threaded joint to eliminate the extra brazing or soldering step.

Claims 8-10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale et al. in view of Reinhart et al. (US 4,691,080)

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Regarding claims 8 and 15, Dale et al. disclose the invention substantially as claimed, but do not disclose an electrical insulator spacer positioned between the sheath and the elongated, electrically conductive pin. Reinhart et al. teach an insulator spacer 18. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include an insulator spacer in the connector of Dale et al. to guide the conductors while preventing electrical contact between the conductors.

Regarding claim 9, Reinhart et al. disclose the electrical insulator includes a passage 66 through which the first conductor can be threaded.

Regarding claim 10, Reinhart et al. disclose the electrical insulator being a ceramic plate (Column 2, Line 64).

Response to Arguments

Applicant's arguments filed 9/16/03 have been fully considered but they are not persuasive.

Applicant's argues that references fail to show certain features of Applicant's invention, (i.e., the first end of the first housing is not prepared to be metallurgically joined with the sheath). The first housing of Dale et al. is metal, inherently deeming it to be "prepared to be metallurgically joined," thus anticipating this limitation of the claim. If the prior art structure is capable of performing the intended use, then it meets the claim. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

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Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

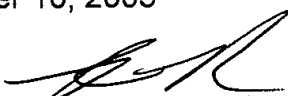
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ann M McCamey whose telephone number is (703) 305-3422. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

AMM
November 10, 2003


RENEE LUEBKE
PRIMARY EXAMINER